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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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Jane Doe

Plaintiff,

-against-

CASE No. 15-cv-9787 (RJS)

BRIAN HARRIS BERG,

Defendant.

---X

PLAINTIFF'S RESPONSE TO ORDER TO SHOW CAUSE

Plaintiff Jane Doe ("Plaintiff") hereby files her response to this Court's January 26, 2016 Order to Show Cause issued by Judge Richard J Sullivan as to why Plaintiff's "failure to appear at the initial conference and to obey Court orders should not result in sanctions pursuant to Federal Rule of Civil Procedure 16(f)" and respectfully states as follows:

1. Since the commencement of the above-captioned action, Plaintiff has had the greatest respect for the Court and any order the Judge issued. As a first time litigant and a Pro Se at the federal level, Plaintiff is not knowledgeable enough to avoid any failure of communicating adequately with the Court.

2. After filing the Complaint on December 15, 2015, Plaintiff was traveling outside New York prior to and after Christmas and New Year holidays. While traveling Plaintiff stayed in temporary residences exclusively, thus had not changed her previously filed mailing address in New York. Plaintiff was not aware of the fact that a Court order for the

initial conference should have been expected within a month of commencement. Instead, Plaintiff mistakenly believed that she had 120 days to serve Defendant the Summons and the Complaint without receiving any communication from the Court before doing so. As a result, Plaintiff had not checked mails at the address she provided to the Court and not received any Order(s) issued by mail, thus leading to the failure of not responding to the Order(s) in its allowed time frame and the eventual absence at the initial conference on January 26, 2016.

3. On January 31, 2016, Plaintiff first knew about the Orders issued prior to and after the scheduled conference, while she accidentally found out the above-captioned action information appearing on the website of www.pacermonitor.com. Plaintiff then realized the issues aforementioned and quickly acted for remedies by filing this Response.

4. Plaintiff regrets any inconvenience caused by her inadvertent absence at the initial conference and inadvertent disobeying Court orders. Plaintiff however has shown the reasons effecting her properly proceeding the action under the guidance of the Court.

WHEREFORE, Plaintiff has shown cause why her failure to appear at the initial conference and to obey Court orders should not result in sanctions pursuant to Federal Rule of Civil Procedure 16(f).

Dated: January 31, 2016

Respectfully submitted,

Jane Doe

Jane Doe

Pro Se Plaintiff